

## **REMARKS**

### **I. Introduction.**

Claims 8, 9, 11-13 and 15-18 are currently pending and rejected in this Application, of which claim 8 is independent. Applicant respectfully submits that all pending claims are in condition for allowance.

### **II. Information Disclosure Statement.**

A supplemental IDS is being filed concurrently with this response.

### **III. Examiner Teleconference.**

Applicant thanks the Examiner for the courtesy of the teleconference on June 4, 2010. During the teleconference, Applicant's representative explained that *Cooper '328* does not disclose or suggest the claimed invention. As discussed in more detail in Section IV below, the superstructure in the claimed invention is supported by the top surfaces of a plurality of support posts. *See, e.g.*, Figures 1A and 2 of the Application. In *Cooper '328*, by contrast, it is the throughbolt hole, not the top surface of post 24, that supports the superstructure.

### **IV. Rejections Under 35 U.S.C. §102.**

Claims 8, 9, 11-13 and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent No. 5,330,328 (*Cooper '328*). Applicant respectfully submits that independent claim 8 (upon which the remaining rejected claims depend) is not anticipated or rendered obvious by *Cooper '328*.

In particular, *Cooper '328* does not disclose or suggest a support post that includes a top surface that extends through an opening in a support structure, wherein the top surface of the support post interfaces with a provided post clamp coupled to the superstructure, thereby supporting the superstructure.

In one exemplary embodiment of the present invention (depicted in Figures 1A, 1B, and 2 of the Application), the top surface (34C) of post 34 extends through an opening in superstructure 36 to interface with flanges 78 on post clamp 35 coupled to superstructure 36. The flanges 78 rest upon the top surface 34C of each post clamp 34, thus supporting the superstructure 36. Among other things, the present invention does not require grooves or through-bolt holes to be machined into the support posts to engage the post clamps or to support

the superstructure 36. Additionally, the present invention avoids problems of weakening and cracking of conventional support posts that use grooves or holes to support the weight of the superstructure. Furthermore, clamping the post above the top surface of the superstructure avoids the intense heat and splashing of molten metal underneath the superstructure, making it easier to install/replace a support post in a pump of the present invention.

In *Cooper* '328, each support post 24 includes a through-bolt hole 243 through which a bolt is passed and used to tighten the clamp to the support post 24 and support the superstructure. *See* col. 10, lines 25-45 and Figure 15. However, as best seen in Figure 15, it is the through-bolts, not the top surfaces of the support posts 24, that support the superstructure. There is no disclosure or suggestion in *Cooper* '328 of supporting the superstructure using the top surfaces of the support posts. Accordingly, *Cooper* '328 does not disclose the limitations of independent claim 8.

#### **V. Rejections under 35 U.S.C. § 103(a).**

Claims 8, 9, 11-13, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,330,328 (*Cooper* '328). As discussed above in Section IV, *Cooper* '328 does not disclose or suggest at least partially supporting the superstructure by the top surface of each support post as required by independent claim 8, and therefore claim 8 is not obvious over *Cooper* '328. The remaining claims each ultimately depend from independent claim 8 and are thus allowable for the same reasons.

## CONCLUSION

In view of the amendments and arguments herein, reconsideration is respectfully requested. Applicant believes the case is in condition for allowance, and respectfully requests withdrawal of the rejections and allowance of the pending claims.

Applicant reserves the right to prosecute any cancelled claims or additional claims, including claims of broader scope, in a continuation application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to **Deposit Account No. 19-3878**.

The Examiner is invited to telephone the undersigned at the telephone number listed below if it would in any way advance prosecution of this case.

Respectfully submitted,

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